

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 292 be amended to read as follows:

- 1 Page 4, between lines 12 and 13, begin a new paragraph and insert:
- 2 "SECTION 8. IC 3-8-2-2.2, AS AMENDED BY P.L.1-2005,
- 3 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2007]: Sec. 2.2. (a) A candidate for a school board office must
- 5 file a petition of nomination in accordance with IC 3-8-6 and as
- 6 required under IC 20-23-12, IC 20-23-14, **IC 20-23-17**, or IC 20-23-4.
- 7 The petition of nomination, once filed, serves as the candidate's
- 8 declaration of candidacy for a school board office.
- 9 (b) A candidate for a school board office is not required to file a
- 10 statement of organization for the candidate's principal committee by
- 11 noon seven (7) days after the final date for filing a petition of
- 12 nomination or declaration of intent to be a write-in candidate unless the
- 13 candidate has received contributions or made expenditures requiring
- 14 the filing of a statement under IC 3-9-1-5.5."
- 15 Page 49, between lines 7 and 8, begin a new paragraph and insert:
- 16 "SECTION 67. IC 5-9-4-8, AS AMENDED BY P.L.1-2005,
- 17 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2007]: Sec. 8. (a) Except as provided in subsection (b), during
- 19 the officeholder's leave of absence, the officeholder's office must be
- 20 filled by a temporary appointment made under:
- 21 (1) IC 3-13-4;
- 22 (2) IC 3-13-5;
- 23 (3) IC 3-13-6;

- 1 (4) IC 3-13-7;
- 2 (5) IC 3-13-8;
- 3 (6) IC 3-13-9;
- 4 (7) IC 3-13-10;
- 5 (8) IC 3-13-11;
- 6 (9) IC 20-23-4;
- 7 (10) IC 20-26;
- 8 (11) IC 20-23-12;
- 9 (12) IC 20-23-14;
- 10 (13) IC 20-23-15;
- 11 **(14) IC 20-23-17;**
- 12 ~~(14)~~ **(15)** IC 20-25-3;
- 13 ~~(15)~~ **(16)** IC 20-25-4; or
- 14 ~~(16)~~ **(17)** IC 20-25-5;
- 15 in the same manner as a vacancy created by a resignation is filled.
- 16 (b) For an officeholder who:
- 17 (1) is:
- 18 (A) a justice of the supreme court, a judge of the court of
- 19 appeals, or a judge of the tax court; or
- 20 (B) a judge of a circuit, city, county, probate, or superior court;
- 21 and
- 22 (2) is taking a leave of absence under this chapter;
- 23 the supreme court shall appoint a judge pro tempore to fill the
- 24 officeholder's office in accordance with the court's rules and
- 25 procedures.
- 26 (c) The person selected or appointed under subsection (a) or (b)
- 27 serves until the earlier of:
- 28 (1) the date the officeholder's leave of absence ends as provided
- 29 in section 10 of this chapter; or
- 30 (2) the officeholder's term of office expires.
- 31 (d) The person selected or appointed to an office under subsection
- 32 (a) or (b):
- 33 (1) assumes all the rights and duties of; and
- 34 (2) is entitled to the compensation established for;
- 35 the office for the period of the temporary appointment."
- 36 Page 49, between lines 29 and 30, begin a new paragraph and insert:
- 37 "SECTION 69. IC 20-23-8-5, AS ADDED BY P.L.1-2005,
- 38 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2007]: Sec. 5. As used in this chapter, "school corporation"
- 40 means a local public school corporation established under the laws of
- 41 Indiana. The term does not include a school township or a school
- 42 corporation covered by IC 20-23-12 **or IC 20-23-17.**"
- 43 Page 52, between lines 19 and 20, begin a new paragraph and insert:
- 44 "SECTION 73. IC 20-23-17 IS ADDED TO THE INDIANA CODE
- 45 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 46 JULY 1, 2007]:

Chapter 17. Election of School Board Members in East Chicago

Sec. 1. This chapter applies to a school corporation:

- (1) located in a city that has a population of more than thirty-two thousand (32,000) but less than thirty-two thousand eight hundred (32,800); and
- (2) for which a referendum has been held:
 - (A) as required by statute; and
 - (B) in which a majority of the votes cast approves electing the members of the governing body.

Sec. 2. IC 20-23-8 does not apply to a school corporation or the governing body of a school corporation governed by this chapter.

Sec. 3. (a) The governing body of the school corporation consists of six (6) members elected from the school districts described in section 4 of this chapter in which the members reside.

(b) The members shall be elected as follows:

- (1) On a nonpartisan basis.
- (2) In a primary election held in the county.
- (3) At large by the registered voters of the entire school corporation.

(c) Upon assuming office and in conducting the business of the governing body, a member shall represent the interests of the entire school corporation.

Sec. 4. The boundaries of the districts from which members of the governing body of the school corporation are elected are the same as the boundaries of the common council districts of the city described in section 1(1) of this chapter that are drawn under IC 36-4-6.

Sec. 5. The following apply to an election of members of the governing body of the school corporation:

- (1) Each candidate must file a petition of nomination with the circuit court clerk not later than seventy-four (74) days before the election at which members are to be elected. The petition of nomination must include the following information:
 - (A) The name of the candidate.
 - (B) The district in which the candidate resides.
 - (C) The signatures of at least one hundred (100) registered voters residing within the school corporation.
 - (D) A certification that the candidate meets the qualifications for candidacy imposed by this chapter.
- (2) Only eligible voters residing in the school corporation may vote for a candidate.
- (3) One (1) candidate shall be elected for each district. The candidate elected for a district must reside within the district. The candidate elected as the member for a particular district is the candidate who, among all the candidates who reside within that district, receives the greatest number of votes from voters residing in the school corporation.

1 **Sec. 6. The state board, with assistance from the county election**
 2 **board, shall establish balloting procedures under IC 3 for the**
 3 **election and all other procedures required to implement this**
 4 **chapter.**

5 **Sec. 7. The term of each person elected to serve on the governing**
 6 **body of the school corporation is four (4) years, beginning July 1**
 7 **following the election.**

8 **Sec. 8. The members of the governing body of the school**
 9 **corporation shall be elected as follows:**

10 **(1) Three (3) members shall be elected at the primary election**
 11 **to be held in 2008 and every four (4) years thereafter.**

12 **(2) Three (3) members shall be elected at the primary election**
 13 **to be held in 2010 and every four (4) years thereafter.**

14 **Sec. 9. A vacancy in the office of a member of the governing**
 15 **body of the school corporation shall be filled temporarily by the**
 16 **governing body as soon as practicable after the vacancy occurs. An**
 17 **individual filling a vacancy under this section serves until the**
 18 **expiration of the term of the member whose position the individual**
 19 **fills.**

20 **Sec. 10. (a) Before August 1 of each year, the school corporation**
 21 **shall file with the state superintendent the following information:**

22 **(1) A list containing the names and addresses of each member**
 23 **of the governing body of the school corporation and the date**
 24 **of the expiration of each member's term of office.**

25 **(2) A list containing the names and addresses of each of the**
 26 **school corporation's officers and the date of the expiration of**
 27 **each officer's term of office.**

28 **(b) The school corporation shall notify the state superintendent**
 29 **of any change in the information previously filed under subsection**
 30 **(a) not later than thirty (30) days after the change occurs."**

31 Page 55, between lines 27 and 28, begin a new paragraph and insert:

32 **"SECTION 82. [EFFECTIVE JULY 1, 2007] (a) The Lake County**
 33 **board of elections and registration shall place the following public**
 34 **question on the November 2007 municipal election ballot in the city**
 35 **of East Chicago in Lake County:**

36 **"Should the members of the governing body of the East**
 37 **Chicago school corporation be elected as provided in**
 38 **IC 20-23-17?"**

39 **(b) The board of elections and registration shall tabulate the**
 40 **votes cast on the public question described in this SECTION and**
 41 **certify the results under IC 3-12-4-9. The circuit court clerk shall**
 42 **send a copy of the certification required by this subsection to the**
 43 **department of education.**

44 **(c) IC 3 applies to the public question placed on the ballot under**
 45 **this SECTION, to the extent IC 3 is not inconsistent with this**
 46 **SECTION.**

47 **(d) This SECTION expires July 1, 2008.**

1 SECTION 83. [EFFECTIVE JULY 1, 2007] (a) **This SECTION**
2 **applies only if the voters of East Chicago vote in favor of the public**
3 **question stated in SECTION 6 of this act.**

4 (b) **Notwithstanding any other law, the terms of the members of**
5 **the governing body of the East Chicago school corporation who**
6 **hold office on June 30, 2008, expire July 1, 2008.**

7 (c) **On July 1, 2008, all powers, duties, and functions adhering**
8 **to the governing body of the school corporation in existence on**
9 **June 30, 2008, are transferred to the governing body established**
10 **under IC 20-23-17, as added by this act.**

11 (d) **On July 1, 2008, the property and records of the governing**
12 **body of the school corporation in existence on June 30, 2008, are**
13 **transferred to the governing body established under IC 20-23-17,**
14 **as added by this act.**

15 (e) **Notwithstanding IC 20-23-17-8, as added by this act, the six**
16 **(6) members of the governing body of the school corporation shall**
17 **be elected at the primary election to be held in May 2008. IC 3 and**
18 **IC 20-23-17, as added by this act, apply to the election held under**
19 **this subsection, except to the extent those provisions conflict with**
20 **this SECTION.**

21 (f) **Notwithstanding IC 20-23-17-7, as added by this act, the**
22 **terms of office of the members elected under subsection (e) expire**
23 **as follows:**

24 (1) **The terms of office of the three (3) members who receive**
25 **the three (3) highest numbers of votes in the election expire**
26 **July 1, 2012.**

27 (2) **The terms of office of the three (3) members who are not**
28 **described in subdivision (1) expire July 1, 2010.**

29 (g) **The successors of the members described in subsection (f)**
30 **shall be elected as follows:**

31 (1) **The successors of the members described in subsection**
32 **(f)(1) shall each be elected for a four (4) year term at the**
33 **primary election held in May 2012, as provided in**
34 **IC 20-23-17-7 and IC 20-23-17-8, both as added by this act.**

35 (2) **The successors of the members described in subsection**
36 **(f)(2) shall each be elected for a four (4) year term at the**
37 **primary election held in May 2010, as provided in**
38 **IC 20-23-17-7 and IC 20-23-17-8, both as added by this act.**

- 1 **(h) This SECTION expires July 1, 2012."**
- 2 Renumber all SECTIONS consecutively.
(Reference is to ESB 292 as printed April 6, 2007.)

Representative Candelaria Reardon